THE DEPUTY CHAIRMAN: Let me get the Report laid. Order, Order_ order. Let the Report be laid. Order, please, in the House.

REPORT OF THE DEPARTMENT RELATED PARLIAMENTARY STANDING COMMITTEE ON TRANSPORT AND TOURISM

श्री प्रमोद महाजन (महाराष्ट्र) : मैं निजी एयर टैक्सी प्रचालन और उससे संबंधित मामलों के संबंधी में विभाग-संबंधित परिवहन और पर्यटन संबंधी संसदीय स्थायी समिति का दूसरा प्रतिवेदन (अंग्रेजी तथा हिन्दी में) प्रस्तुत करता हूं ।

श्री ब्रह्मदेव आनन्द पासवान (बिहार) : महोदया, मैं एक गंभीर विषय की ओर आपका ध्यान आकर्षित करना चाहता हूं। राज्यसभा की 13 अगस्त, 1993 की कार्यवाही का जो संक्षिप्त विवरण छपा है उसके पेज 19346 पर छपा है कि "श्री ब्रहमदेव पासवान ने राष्ट्रपति भवन के अशोका होटल में सम्राट अशोक की कांस्य प्रतिमा लगाने के संबंध में एक मामला उठाया" . . . **(व्यवधान)**

THE DEPUTY CHAIRMAN: Yes, I will ask the secretariat.

ठीक है, अगर गलती से कहीं छप गया है तो बता दीजिए कि अशोका होटल नहीं था अशोका हाल था . . . **(व्यवधान)** राष्ट्रपति भवन में तो अशोका होटल नहीं है. . . **(व्यवधान)** गलती हो गई होगी । कलम है, फिसल गई होगी । बोलिए जयंती जी . . . **(व्यवधान)** इंसान से गलती होती है. हो गई होगी गलती . . . **(व्यवधान)**

RE. ...CONCERN OVER LIKELY WINDING UP OF THE JAIN COM MISSION OF INQUIRY

SHRIMATI JAYANTHI NATARA-JAN (Tamil Nadu): Madam, I would like to draw the attention oif the House and of the Government, thro ugh you, to an extremely disturbing development that has taken place. It is with a sense of great shame and great regret that I am getting up to draw the attention of his House to this incident- ,

On Friday, the 20th, we will be observing the 49th birth anniversary of our late, revered leader, Shri Rajiv Gandhi. All over the country millions of our countrymen who loved him and still deeply mourn his passing away, will pay solemn tributes to his memory.

But in grim contrast, in grim irony, Delhi the Jain Commission of Inquiry will be winding up the inquiry because of non-cooperation, according to the Judge.

SHRI SATYA PRAKASH MALA-"VTYA (Uttar Pradesh): Non-cooperation by whom?

SHRI MENTAY PADMANABHAM (Andhra Pradesh): By the Government. ... *(Interruptions')*

SHRIMATI JAYANTHI NATARA-JAN: That is what I am saying. Mr. Padmanabham. Will you please listen to me? That is exactly what I am saying.

THE DEPUTY CHAIRMAN: She is saying that. Let her say that. What is there? If she wants to say that there is non-cooperation, yet her say that.

SHRI V. GOPALSAMY (Tamil Nadu): She is misleading the House ,.. *(Intsrruvtions)* This is wasting people's money.. . *(Interruptions)*

THE DEPUTY CHAIRMAN: Order, please... *(Interruptions)*

SHRI MENTAY PADMANABHAM: What is funny about it? _____(Interr uptions) she said. . .

THE DEPUTY CHAIRMAN: Let her say that. You don't have to repeat it.

SHRT MENTAY PADMANABHAM: It is not fair.

SHRIMATI JAYANTHI NATARA-JAN: I have not even started my speech. You are not even letting me to speak.

THE DEPUTY CHAIRMAN: If you permit her to speak, she will say what she wants to say. She will not say what you want her to say.

SHRIMATI JAYANTHI NATARA-JAN: Miadam, yesterday, at the hearing of the Jain Commission, Justice Jain who heads the Commission of Inquiry, gave it UP in disgust at what he expressed as non-cooperation of a counsel. He has made observations on various counsels from various parties. I am not concerned with all that. My serious concern is that this observation has been made against the counsel representing the Central Government .

I also want to remind you for one second that as far back as September last the very first thing the Attorney-General, the Government counsel did was to argue before the Commission of Inquiry the question of its jurisdiction.

It was the Government that framed the terms of reference. There was no need for them to go back with their counsel nd argue on the jurisdiction of the inquiry.

Finally, from September till now, because of this delay, the Commission hag finally declared that it will not go into the grounds covered by the trial—by the special Judge who is designated. Now, the other delay is because they are not able to submit a small list of witnesses who should be called under Section 8(b) of the Commissions of Inquiry Act. I do not understand the reasons for this delay. I do not understand why the Governnaan-t counsel are not able even to assits the ommission to this extent. All I can say is that this delay is unacceptable, objectionable and indicates a completely non-serious attitude to the probe into the assassination o'f late Shri Rajiv Gandhi.

My demand is very simple. I just want the Home Minister to come to the House today and tell us why this situation came about yesterday before the Commission that the Commission is threatening to wind wp booause of non-cooperation. This is a shocking development. The Home Minister could come and tell us today why this has happened. If they are aware that the judge has made this observation, what are the reasons? Fix responsibility on the people who have brought this judge to this pass that he is not willing to go into the enquiry? And then what is the Government going to do about it?

श्री सुरेन्द्र जीत सिंह अहलूवालिया (बिहार) : उपसभापति महोदया, यह मुद्दा ऐसा महत्वपूर्ण है कि इस सदन में जब *जैन कमीशन* की डिमांड हुई थी, उस के टर्म्स ऑफ रेफरेंस बढ़ाने के लिए इस सदन के हर एक सदस्य ने बैठकर अलग अलग विचार रखे थे जो राजीव गांधी जी की नृशंस हत्या हुई, बाहरी ताकतें भी इसमें लगी हुई थीं, इस पर यह आयोग बनाया गया था । लेकिन यह दुर्भाग्य की बात है कि सरकार की तरफ से कुछ तथ्य देने हैं, उन को देने में कमजोरी दिखाई जा रही है । सरकार का बनाया हुआ आयोग है और उसी को अगर सरकार पेपर्स नहीं देगी तो यह बड़े दुर्भाग्य की बात है । इस सदन में बैठकर जिन्होंने अपनी श्रद्धा के सुमन चढ़ाए राजीव गांजी जी के प्रति, उनकी हत्या के बाद वही अपने आप को बिदड़ा कर रहे हैं और सरकारी तथ्य उन के सामने पेश नहीं हो रहे हैं और जस्टिस जैन का जो बयान आया है कि मैं इस को बंद कर दूंगा, यह बड़े दुर्भाग्य की बात है । तो जयन्ती नटराजन जी ने जो मांग की कि इस सदन में गृह मंत्री जी आ कर बयान दें और सदन को बताएं कि किन हालातों में ऐसी व्यवस्था की गई कि जैन कमीशन के जस्टिस जैन उसको बंद करने पर विचार कर रहे हैं, यह सदन को बताना चाहिए, मैं इस मांग का समर्थन करता हूं ।

श्री रामनरेश यादव (उत्तर प्रदेश): इस पर ध्यान देना चाहिए, इसको नहीं रोकना चाहिए. . . (**व्यवधान**)

SHRI DAYANAND SAHAY (Bihar) : I associate myself with what the hon. Member has said.

SHRI V. NARAYANASAMY (Pondieherry); Madam, let the Home Minister come and explain to the House. *(Interruptions)* They should submit a report in the House and the Congressmen also. *(Interruptions)*

SHRI JAGESH DESAI (Maharashtra) : Mladam, the Government must come with a statement to the House. It is very unfortunate that this kind of a situation.. . *(Interruptions)*

SHRI INDER KUMAR GUJHiAL (Bihar): Mladam, I seek to associate myself with the concern that the hon. lady Member has expressed. It is a matter of deep concern and anxiety that a personality of the eminence of Shri Rajiv Gandhi was so darstar dly assassinated. Not only this House but the entire nation felt worried about it. Now, when the inquiry committee is sitting to unearth as to what was the conspiracy behind it, it is very surprising that the Government should not be cooperating with it; and the Commission should come to a conclusion out of despair that it will have to wind up. I think it is a matter which concerns all of us. It is not a question of the ruling party. We all feel concerned and we all are worried. The Government should be called upon to make a state, ment here and ensure that the High Court and the Judge that the Government will from now onwaids cooperate And secondly, if the lawyer is not cooperating, then the Government will change the lawyer.

SHRI MURLIDHAR CHANDRA KANT BHANDARE (Maharashtra): How can a lawyer not cooperate?

THE DEPUTY CHAIRMAN: I do not think there is any dispute about itj in this House Everybody is unanimous on this.

SHRI V. NARAYANASAMY: The Home Minister should make a statement in this House. 584 RS—12.

THE DEPUTY CHAIRMAN: Does the Law Minister want to say something? *(Interruptions)* I am allowing Mr. Subramanian Swamy because his name is also there.

SHRI SUBRAMANIAN SWAMY (Uttar Pradesh): Madam Deputy Chairman, the sentiments expressed in this House, in fact, acquire much greater sense of urgency when you consider the fact that the person who is named as accused number one in the charge-sheet as having ordered tjhe assassination of Mxi. Rajiv Gandhi is Mr. Prabhakaran, the LTTE supremo. He is 35 KMs away from the shorees of India. In these two years and a quarter, the Government has not taken one step to get him out. Now there are plenty of ways by which this can be done.

I have myself verified that the Government of India has not yet written for formal extradition of Mr. Prabhakaran neither to the Sri Lankan Government nor have they talked to the United States Government or to the British Governments or to the Canadian Govemrarnt or to the United Nations. The Security Council in the United Nations had passed a resolution saying that where terrorist acts and assassination takes place, the world community will act in concert In view of this resolution, the Govern. ment of Stri Lanka should be asked to hand over Mr. Prakhakaran for trial in this country. It is only by bringing Mr. Prabhakaran to trial that you can find out what is the conspiracy behind this assassination. For this no steps have been taken and since two years and a quarter this matter is going on. The silence of the Government in this regard for not having taken any steps eiher with the Government of Sri Lanka or with the United Nations or with a friendly counrty is not correct. Now 100 million people are here and one of the top most leaders of this country was assassinated during an election campaign.

[Shri Subramanian Swamy]

It was an insult to our national sovereignty. It is a challenge to our national sovereignty and insult to our national honour and the Government of India has done nothing about it. This is what makes it more curious in line with the Jain Commission's lack of staff.

श्री दिग्विजय सिंह (बिहार) : मैडम, जयन्ती नटराजन जी ने जो बात कही है मैं उससे पूरी तरह से सहमत होते हुए सिर्फ एक बात की ओर आपका ध्यान खींचना चाहूंगा । जब वर्मा आयोग पर हम यहां बहस कर रहे थे तो उस दिन की रिपोर्ट उठाकर देखी जाय, मैंने कहा था कि जैन आयोग के साथ न केवल उसके कामकाज में रुकावट दी जा रही है बल्कि उसके साथ दुर्व्यवहार भी हो रहा है । उसको बैठने की जगह नहीं दी जा रही है और गृह मंत्री ने यहां पर आश्वासन दिया था कि जैन आयोग को पूरी सुविधा दी जाएगी और जैन आयोग के साथ पूरा अच्छा बर्ताव किया जाएगा और देखा जाएगा कि जैन आयोग ठीक ढंग से काम कर सके । मैं जानना चाहता हूं कि गृह मंत्री के आश्वासन का कोई मतलब इस सदन के सदस्यों के लिए है या नहीं है ? यहां पर श्रीमती रेणुका चौधरी बैठी हुई है । कल ही कहा गया था कि इनको सेक्योरिटी दी जाएगी, लेकिन आज तक इनको सेक्योरिटी नही दी गई है । आखिर ऐसे गृह मंत्री पर हम कैसे विश्वास कर सकते हैं ? मैं आपसे पूछना चाहूंगा कि यह आपकी जिम्मेवारी है कि जो आश्वासन मंत्री यहां पर सदन में देते हैं उसकी वह अवहेलना करेगा या उसकी रक्षा वह करेगा ? इसलिए इसके पहले कि गृह मंत्री को यहां पर बुलाया जाय मैं आपसे पूछना चाहूंगा कि ऐसे गृह मंत्री पर मेरा कोई विश्वास नहीं रह गया है जो सदन को कुछ आश्वासन देते हैं और करते कुछ हैं । एक सत्र बीत गया है और अब सदन में पांच दिन पहले अश्वासन दिया गया था, लेकिन आज तक काम नहीं हुआ है । मुझे पूरा यकीन है कि गृह मंत्री द्वारा जैन आयोग को कोई मदद नहीं हो सकती है । इसलिए जयन्ती जी, अगर आप सवाल पूछना चाहती हैं तो चेयर से पूछिये कि ऐसे आश्वासन का क्या मतलब है ?

SHRI V. NARAYANASAMY: Ma-dam Deputy Chairman, I will take only one minute.

I fully associate myself with the sentiments expressed by Mr. Subramanian Swamy. We have been insisting that Mr. Prabhakaran, the prime accused in the assassination or our leader Shri Rajivji who is in Sri Lanka should be extradited. The hon. Home Minister made a statement in this House that the Government of India have written to tfne Government of Sri Lanka in this regard. But for the last two years nothing has moved. Moreover it is a shams on us that the Government of India could not make any headway for the purpose of bringing Mr. Prabhakaran from Sri Lanka to our country for facing trial in Rajiyji's assassination case.

Madam, I would like to know, through you what steps the hon. Home Minister has taken in this regard. The hon. Home Minister has said in this House that he had written a letter to the Government of Sri Lanka. If so, what was their response? May I know whether their response was favourable? The then President of Sri Lanka had totally refused to extradite him. Now, what; is the response of the present administration? I would like to know from the hon. Home Minister whether the Government is really serious to get Mr. Prabhakaran ex-tradited from Sri Lanka for the purpose of trying him in the assassination of our leader, Shri Rajivji.

SHRI MENTAY PADMANABHAM) (Andhra Pradesh): Madam, only! one minute. *(Inetrruptions)* Only one minute.

THE DEPUTY CHAIRMAN: Yes.

SHRI MENTAY PADMANABHAM: Madam, I totally agree with the sentiments expressed in this House. As

some of our friends pointed out, we have been discussing this issue of invstigation into this gruesome murder on a number of occasions. A number of times, we expressed the idaa, all the sections of the House, that the Government is not serious about investigating this issue. These allegations are made by the Members of the Treasury benches and also the Members of this side. Madam, what is most unfortunate is that the CongressJI party and the Government are using this issue,, the investigation into Rajiv Gandhi's murder, for their factional and political ends. This is the most unfortunate thing. *(Interruptions).*

StHRit SUBRAMANIAN (SWAMY;. It is highly objectionable There is no question of Congress party. It is the whole House... *(Interruptions).*

SHRI MENTAY PADMANABHAM: I am not naming anybody. Unless h« is proved guity... *(Interruptions)* I am only referring to the pace of investigation.

THE DEPUTY CHAIRMAN: Mr. Bhardwaj wanted to say something.

SHRI MENTAY PADMANABHAM: I am only referring to the Verma Commission and the Jain Commission. The main allegation is that fhe Government is not serious in holding the investigation ..... (interruptions) The main allega tion is that it is most unfortunate that the Government is using this investigation for its factional ends. This should end. It is very unfortunate.

SHRI VISHVJIT P. SINGH (Ma harashtra): My only request to the Government is this. In the face of this content thing which is going on in the House—we are constancy asking questions—I think, the Government should come out with a categorical statement as to what has been done about the Commission of Inquiry so far, what are the facilities which have been nude avaiable, where is the Commission sitting, how many sittings it has had, when it is going to start, how much staff has been given, etc. The Government should give all these details to the House so that.....' (*Interuptions).*

SHRI KAMAL MORARKA: (Rajasthan) : Madame... *(Interruption)*

THE DEPUTY CHAIRMAN: We cannot open it for discussion because in the beginning.. . (Interruptions)

SHHRI KAMAL MORARKA: Madam, Rajiv Gandhi's assassination is a very important matter. We have a feeling that there ig an atmosphere against Mr. Rajiv Gandhi now. *(Interruptions).* They do not want to find out. *(Interruptions,).*

THE DEPUTY CHAIRMAN; Just » minute.

SHRI VISHVJIT P. SINGH: *1* want an aigteurlanqe from the Gov. ernment that the Government will come out with a statement on this! issue and share all the details with the House immediately. Thank you.

THE DEPUTY CHAIRMAN: When I selid .. • • *(Interruptions.* Just a minute, please. Take your seats; all of you. When I said that there was no *disagreement, one the*, fact that the complaints; regarding Jail Com mission or whatever should\ be looked into... (Interruptions). -Just a second. Let me finish my sentence. The Law Minister skid that

[The Deputy Chairman]

he was going to make some point on it. So, I will allow him... *(interruptions)*. Do not have a running commentairy; Mr. Venkatnaman. WiU you please sit down? Thank you. Now, Mr. Subramanian Sw&my raised another issue and that is not related to the Law Ministry. The Home Minister will have to tell us that. He is not here. I cannot ask him straightway to come to the House and answer. Your points have been noted by me and the Parliamentary Affairs Minister and they will be conveyed to the Home Minister. Now; Mr. Sikander Bakht.

विपक्ष के नेता (श्री सिकन्दर बख्त) मध्य प्रदेश) : सदर साहिबा, जो कुछ आनरेबल मेंबर्स के जजबाती ताल्लुक हैं इस बाकये से, मैं उसकी कद्र करता हूं, अहतराम करता हूं। लेकिन बात यह है कि यह जो कमीशन मुकर्रर किया गया था, क्यों मुकर्रर किया गया था, अगर गवर्नमेंट को उसकी किसी किस्म का ताव्वुन नहीं देना है ? बड़ी मुश्किल है यहां कहा जाता है कि होम मिनिस्टर साहब यहां आकर बयानात दें । बुनियादी बात तो अलहदा है मगर उस पर अमल करने की कोई सूरत नजर नहीं आती है । अब हम क्या समझें इस वक्त ? क्या यह कमीशन बाइंड-अप होने दिया जायेगा या इस कमीशन को ताव्वुन देकर उस मकसद तक पहुंचा जायेगा जिस मकसद के लिए कमीशन बनाया गया था । मगर यह किस किस्म की लिथार्जी है, हर तरफ से यह सरकार बिल्कुल बेअमल हो चुकी है और खुद अपने मकसद को सामने रख कर भी बेअमल है । कुछ समझ में नहीं आता कि फिर कमीशन बनाने का मजाक किया क्यों गया, अगर उसको ताव्वुन नहीं देना है । होम मिनिस्टर साहब वाकई क्या कहेंगे । अब दिग्विजय सिंह जी ने जो बात कही है वे क्या कहेंगे, यहां बहुत सारी बातें कह जाते हैं और फिर उस पर अमल की कोई सूरत नजर आती नहीं है । हम को समझ में नहीं आता कि आखिर कमीशन मुकर्रर क्यों किया गया अगर उसको ताव्वुन नहीं देना है ।

عزیز سکندر بخت "مدھیہ پردیش": صدر صاحبہ۔ جو کچھ آنریبل ممبرس کے جذباتی تعلق ہیں اس واقعہ سے میں اس کی قدر کرتا ہوں۔ احترام کرتا ہوں۔ لیکن بات یہ ہے کہ یہ جو کمیشن مقرر کیا گیا تھا۔ کیوں مقرر کیا گیا تھا۔ اگر گورنمنٹ کو اس کو کسی قسم کا تعاون نہیں دینا ہے۔ بڑی مشکل ہے یہاں کہا جاتا ہے کہ ہوم منسٹر صاحب یہاں آکر بیانات دیں۔ بنیادی بات تو علیحدہ ہے مگر اس پر عمل کرنے کی کوئی صورت نظر نہیں آتی ہے۔ اب ہم کیا سمجھیں اس وقت۔ کیا یہ کمیشن وائنڈ اپ ہونے دیا جائے گا یا اس کمیشن کو تعاون دے کر اس مقصد تک پہنچایا جائے گا۔ جس مقصد کیلئے کمیشن بنایا گیا تھا مگر یہ قسم کی تلوار جو ہے ہر طرف سے یہ سرکار بالکل بے عمل ہو چکی ہے اور خود اپنے مقصد کو سامنے رکھ کر بھی بے عمل ہے۔ کچھ سمجھ میں نہیں آتا کہ پھر کمیشن بنانے کا مذاق کیوں کیا گیا اگر اس کو تعاون نہیں دینا ہے۔ ہوم منسٹر صاحب واقعی کیا کہیں گے۔ اب دگ وجے سنگھ جی نے جو بات کہی ہے وہ کیا کہیں گے۔ یہاں بہت ساری باتیں کہہ جاتے ہیں اور پھر اس پر عمل کی کوئی صورت نظر آتی نہیں ہے۔ ہم کو سمجھ میں نہیں آتا کہ آخر کمیشن مقرر کیوں کیا گیا اگر اس کو تعاون نہیں دینا ہے۔

THE DEPUTY CHAIRMAN: Mr. Bhardwaj, you wanted to say something regarding the Commission.

†[ ] Transliteration in Arabic Script.

THE MINISTER OF STATE IN THE iVEINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. BHARDWAJ): Madam Deputy Chairman, 1 would touch the area of appointment of the Commission, providing lawyers to the Commission and the assistance rendered by the lawyers to the Commission. At the outset, I denv this thing that the Commission is not toeing given the facility which was promised to it. I have myseif been dealing with this aspect and I know, when you appoint a retired or a sitting judge of the High Court, you have to treat him with dignity and I have always seen to it, whoever is appointed, any Commission 01 Enquiry.

They are normally appointed though the Justice Ministry, so I am in the picture. Justice Jain was Chief Justice of the Delhi High Court and on retirement, he was appointed as a Commission of Enquiry to go into the area where Justice J.S. Verma did not go, namely, the conspiracy part of it, and as per the desire of this House, the conspiracy part was also sought to be gone into by the Commission. Pursuant to that, this Commission was appointed. In the meantime, hon. Members will appreciate, there was a Special investigation Team, headed by very senior o*nce:s of the CBI and other forces in Tamil Nadu. They were going into tne actual assassination of l&te Shri Rajiv Gandhi our beloved, leader, and that team was doing a very difficult and onerous task firstly, to locate the conpspiracy and secondly, to find out the people involved, in it, to arrest them and then to interrogate them. *(Interruptions)l* am coming to each and every point one by one. Otherwise, there is no meaning in showing lip sympathy. I am pointedly coming to each point. Let there be no misunderstanding in the mind of any one that this Government will relent in proceeding before the Commission on Enquiry and in giving assistance. But there are areas where we have some difficulties, or example the investigating team has completed the investigation and the witnesses are under threat. The identity of the witnesses and the persons who are connected with the trial is a very difficult area, consider* ing the force involved behind the assassination. It has international ramifications, hat part of the act ha* been done by the SIT and the case has fc^en put in the court. Every da;, we find that the other side is taking several types of defences and delaying the trial. The hon. Members will appreciate that the real v.oric is to bring the culprits to book and punish them. The second part is with regard to going into the conspiracy part, if at all, there is a large conspiracy behind it. That WHS entrusted to Justice Jain. There a plea was made by the then Attorney General, Shri G. Ramaswamy, that since the trial is likely to be preju diced by producing those witnesses in the Commission, the trial part should be left alone and should be entrusted to the court—that is the designated court. That part nas been agreed to by the Commission and this has been argued by the Commission and the other relevant parties who nave been invited to participate in the Com' mission. Now, the other part is about sending notices. Notices under 8E have been issued to several people, namely, the intelligence agencies an<] other people, who were charged wit the responsibility of protecting 01 providing security to late Shri Rajiv Gandhi. With regard to that, sora invesigating agencies wanted Nffl time to see the role of the IPKF am other intelligence agencies during the sensitive time. They want nom time. Lastly, an aplication was mad by those people who wanted to the affidavits on this aspect of the com piracy- I can say that this Com mission will take up the investigi tion and inquisitorial proceedings 1 come to a logical conclusion. That the commitment of the Govanunei and there is no denial of that fac

[Shri H. R. Bhardwaj]

Nobody can deny that. But the procedure which the Commission is adopting and the procedure which is being contested—it is not only the Government but tnere are several other people, the DMK and other who are contesting...

SHRI SIKANDER BAKHT: Is the complaint of the Commission baseless?

SHRI H. R. BHARDWAJ: Mr. Sikander Bakht, there are some grievances which the Commission has expressed and I am in touch with them. I will see that they are redressed and I will request the Home Minister. Whatever they are, they are very minor things. Regarding his security... *(Interruptions)* ...

SHRI N. E. BALARAM (Kerala): Madam, the point is, the Commission itself is... *(Interruptions)...*

श्री दिग्विजय सिंह : ...आज तक किसी कमीशन ने यह सुनवाई नहीं की... (व्यवधान) यह क्यों हुआ है, यह बात हुई क्यों, इस पर जरा जवाब दें... (व्यवधान)

उपसभापति : अभी भारद्वाज जी ने बहुत विस्तार से बता दिया। अब आगे का मामला... (व्यवधान) चलने दीजिए ।

An HON. MEMBER: There is no point in winding it up.

SHRI KAMAL MORARA: Madam, you have to protect us. You have to protect us. What Mr. Bhardwaj has said is right. He says, "The Commission is making grievances which I am doing my best to ameliorate." Madam, the Commission has been there to investigate the murder of •late lamented leader Rajiv Gandhi. Madam!, instead of the Commission attending to the grievances, the Commission is making grievances to the Govermentl

SHRI H. R. BHARDWAJ: That is not correct. That is not correct. That is not correct. The Commission has been going into it and in that, the Commission has also ,aid one thing, "I an-, entitled to it the post of Chef Justice of the High Court should have 'been given to me and the Home Ministry has not given." I am looking into it... *(Interruptions)...*

THE DEPUTY CHAIRMAN: We are not discussing the Commission of Inquiry... *(Interruptions,)* ... No, 1 won't permit. That is over. Sarala Maheshwari... *(Interruptions)...*

SHRI N. E. BALARAM: They will "wind up the whole proceedings.

THE DEPUTY CHAIRMAN: He is taking care of it. He has promised.

SHRI MURASOLI MARAN (Tamil Nadu); Madam, DMK has nothing to do with the enquiry. The hon. Minister is wrong... (Interruptions) ...The Minister is totally wrong DMK has nothing to do with the enquiry... *(Interruptions)...*

श्री दिग्विजय सिंह : मैडम इस, होम मिनिस्टर के एश्योरेंस का क्या होगा । हो मिनिस्टर ने पिछले सत्र में भी एश्योरेंस दिया था.. (व्यवधान) मार्च से पहले भी दिया था...

(In terruptions)

SHRI V. GOPALSAMY: The Minister has made a reference to DMK-Through you, Madam,... *(Interruptions)* .,. The Minister made a refe rence about DMK. *(Interruptions)*

THE DEPUTY CHAIRMAN: Sarala Maheshwari ... *(Interruptions)*.. I am not permitting you... *(Interruptions)* .. .1 am not permitting you... *(Interruptions)*... Otherwise, I will close the matter. सरला जी बोलिए। ... *(Interruptions)* .. .1 am not allowing anything anyomer... (Interruptions) .. .Mr. Maran, please take your seat... *(Interruptions)*... I said, please take your seat .

बोलिए, सरला महेश्वरी जी बोलिए ।

Mr. Maran, please sit down. I request you to take your seat.

बोलिए सरला माहेश्वरी जी, बोलिए । ... *(Interruptions)*.. .Mr. Gopalsamy please, I request you to take your

बोलिए सरला जी आप बोलिए ना ।

श्रीमती सरला माहेश्वरी (पश्चिमी बंगाल) : मैं बोल रही हूं। मेरा गला इतना खराब है... (**व्यवधान**)

उपसभापति : गला खराब है तो उसके लिए दवा ले लीजिए... (व्यवधान)

THE DEPUTY CHAIRMAN: बोलिए.. *(Interruptions)*... Let her speak Mr. Subramanian Swamy, have soiic consideration for other Members also in this House, There are other Members, please.

Re EVICTION OF RESIDENTS OF DCM COLONY; KISHAN GANJ NEW DELHI.

श्रीमती सरला माहेश्वरी : (पश्चिमी बंगाल) : उपसभापति महोदया, मैं बहुत ही गम्भीर विषय की ओर आपका और इस सदन का ध्यान आकर्षित करवाना चाहती हूं । उपसभापति महोदया, पुलिस, प्रशासन और पूंजीपति इन तीनों की तिकड़ी अगर मिल जाए तो आम जनता पर किस तरह तबाही का तूफान या तबाही का पहाड़ टूट पड़ता है इसका साक्षात अनुभव कल दिल्ली के किशन गंज इलाके में बसे डी०सी०एम० कालोनी के लोगों को हुआ । उपसभापति, महोदया, इस डी० सी०एम० कालोनी में 600 लोग बसे हुए हैं... (**व्यवधान**)

THE DEPUTY CHAIRMAN: Order in the House, please, Mr. Narayanasamy, please don t disturb. Mr. Aznvi, please don t disturb the House. I won't permit it.

श्रीमती सरला माहेश्वरी : सुनिये, वहां पर किस तरह से लोगों को परेशान किया जा रहा है ।

उपसभापति : यहां भी परेशान कर रहे हैं ।

श्रीमती सरला माहेश्वरी : मैं आपको नहीं कह रही हूं । उपसभापति महोदया, डी०सी०एम० कालोनी में करीब 600 परिवार रहते हैं । यह कालोनी स्लम एरिया के अंतर्गत गजेटिड की गयी है । तो इस कानून के अनुसार जब तक इस कालोनी में रहने वाले लोगों को कोई वैकल्पिक आवासस्थान नहीं दिया जाता है तब तक उनको खदेड़ा नहीं जा सकता है। उनको दूसरे स्थान पर भेजा नहीं जा सकता है । लेकिन उपसभापति महोदया, हालत यह है कि कल सुबह सी०आई० एस०एफ० के ढाई सौ लोगों को लेकर डी०सी०एम० की मैनेजमेंट वहां पर पहुंची और जाते ही उन्होंने सबसे पहला जो हमला किया वह मासूम बच्चों के स्कूल को बुलडोजर से ध्वस्त कर दिया, मटियामेट कर दिया । और इसके साथ ही उसके बगल में जो सिलाई केंद्र था, उसको ध्वस्त कर दिया और मुहल्ले में रहने वाले बूढ़े, बच्चे और औरतों तक को नहीं बख्शा ।

उपसभापति जी, एक अस्सी साल का बूढा, तीन दिन पहले जिसकी नौजवान बेटी मारी गई थी, उस अस्सी साल के बूढ़े को जिस बुरी तरह से पिटाई की गई और औरतों की पिटाई की गई और औरतों को सुबह से ले जा कर थाने में बंद कर दिया गया—छह बजे शाम तक उनको छोड़ा नहीं गया ।

उपसभापति जी, जबकि यह मामला हाई कोर्ट में है और कल ही हाई कोर्ट की फुल बेंच इस मामले पर फैसला करना चाहती थी, लेकिन इससे पहले कि कोई न्याय प्रक्रिया पूरी होती, डी०सी०एम० के मैनेजमेंट और प्रशासन ने पुलिस की मदद लेकर वहां पर जो कहर बरपाया है, वह मानवता के नाम पर कलंक है । इससे लोगों का कानून पर से विश्वास उठ जाता है ।